

IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

IN RE: ; CHAPTER 13  
;   
Travis J. Wells, ; CASE NO. 13-41646-EJC  
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**RESPONSE TO MOTION TO AVOID LIEN PURSUANT TO 11 U.S.C. SECTION  
522(f)(1)(A)**

COMES NOW, Sheffield Financial, hereinafter “Sheffield”, by and through its attorney of record, and files its Response to Debtor’s Motion to Avoid Lien (hereinafter the “Objection”) and states the following:

1.

Sheffield admits allegations set forth under Paragraphs 1 and 2 of Debtor’s Motion.

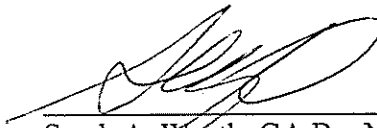
2.

Sheffield neither admits nor denies allegations set forth under Paragraph 3 of Debtor’s Motion.

3.

Sheffield responds to allegations set forth under Paragraph 4 of Debtor’s Motion to state that Sheffield’s lien on the four wheeler that is owned by Debtor is not eligible for lien avoidance under 11 U.S.C. Section 522(f)(1)(A) or (f)(1)(B) as it is neither a judicial lien or within a category contained under the provisions of (f)(1)(B). More specifically, the four wheeler is not a household good nor a tool of the trade of Debtor’s. Sheffield’s lien is secured by a UCC-1 Financing Statement, a true copy of which is attached herein under Exhibit “A”.

WHEREFORE, Sheffield requests that the Debtor’s motion be denied and for further relief as is deemed equitable and just.



Sarah A. Wyeth, GA Bar Number: 779413  
Attorney for Sheffield Financial

Campbell and Brannon, LLC

Sarah A. Wyeth  
990 Hammond Drive, Suite 800  
Atlanta, Georgia 30328  
(770) 392-0041

**CERTIFICATE OF SERVICE**

**I certify that on the date below that a true and correct copy of the foregoing was sent, postage prepaid, by regular U.S. Mail to the parties listed below, and by facsimile to the Chapter 13 Trustee and the Attorney for the Debtor.**

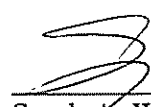
John E. Pytte  
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Hinesville GA 31310

Travis J. Wells  
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Benjamin R. Roach  
423 Bull Street  
Savannah GA 31401

Office of the US Trustee  
Johnson Square Business Center  
2 East Bryan Street, Ste. 725  
Savannah GA 31401

Respectfully submitted this 10 day of Oct, 2013.

  
\_\_\_\_\_  
Sarah A. Wyeth, GA Bar 779413

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FILED AND RECORDED

04/19/2011 11:48AM at 11:48AM

UCC Control #: 0072011007786

R.B. MCINTYRE

BARROW County Clerk of Superior Court

Receipt # 288898

## UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

|  |                  |
|--|------------------|
| A. NAME & PHONE OF CONTACT AT FILER [optional]<br>Phone:(800) 331-3282 Fax: (818) 662-4141 |                  |
| B. SEND ACKNOWLEDGEMENT TO: (Name and Address) 19779 SHEFFIELD FINA                        |                  |
| CT Lien Solutions<br>P.O. Box 29071<br>Glendale, CA 91209-9071                             | 28002756<br>GAGA |
| File with: BARROW, GA  |                  |

1. DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (1a or 1b) - do not abbreviate or combine names

|                         |                            |            |             |
|-------------------------|----------------------------|------------|-------------|
| 1a. ORGANIZATION'S NAME |                            |            |             |
| OR                      | 1b. INDIVIDUAL'S LAST NAME | FIRST NAME | MIDDLE NAME |
|                         | WELLS                      | TRAVIS     |             |
| 1c. MAILING ADDRESS     | CITY                       | STATE      | POSTAL CODE |

|                      |                                   |                          |                                  |   |
|----------------------|-----------------------------------|--------------------------|----------------------------------|---|
| 1d. SEE INSTRUCTIONS | ADD'L INFO RE ORGANIZATION DEBTOR | 1e. TYPE OF ORGANIZATION | 1f. JURISDICTION OF ORGANIZATION | 1g. ORGANIZATIONAL ID #, if any <input type="checkbox"/> NONE |
|----------------------|-----------------------------------|--------------------------|----------------------------------|---|

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - Insert only one debtor name (2a or 2b) - do not abbreviate or combine names

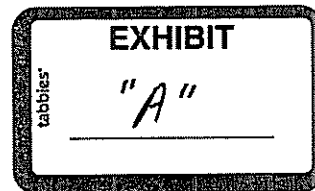
|                         |                                   |                          |   |
|-------------------------|-----------------------------------|--------------------------|---|
| 2a. ORGANIZATION'S NAME |                                   |                          |   |
| OR                      | 2b. INDIVIDUAL'S LAST NAME        | FIRST NAME               | MIDDLE NAME   |
|                         |                                   |                          |   |
| 2c. MAILING ADDRESS     | CITY                              | STATE                    | POSTAL CODE   |
| 2d. SEE INSTRUCTIONS    | ADD'L INFO RE ORGANIZATION DEBTOR | 2e. TYPE OF ORGANIZATION | 2f. JURISDICTION OF ORGANIZATION                              |
|                         |                                   |                          | 2g. ORGANIZATIONAL ID #, if any <input type="checkbox"/> NONE |

3. SECURED PARTY'S NAME (or NAME of TOTAL ASSIGNEE of ASSIGNOR S/P) - insert only one secured party name (3a or 3b)

|  |                            |             |                      |
|--|----------------------------|-------------|----------------------|
| 3a. ORGANIZATION'S NAME<br>BB&T Financial, FSB - Sheffield Financial |                            |             |                      |
| OR   | 3b. INDIVIDUAL'S LAST NAME | FIRST NAME  | MIDDLE NAME          |
|  |                            |             |                      |
| 3c. MAILING ADDRESS<br>PO Box 1704                                   | CITY<br>Clemmons           | STATE<br>NC | POSTAL CODE<br>27012 |
|  |                            |             | COUNTRY<br>USA       |

4. This FINANCING STATEMENT covers the following collateral:

THE FOLLOWING LISTED EQUIPMENT: MAKE: Arctic Cat; MODEL No.: A2010IFT4EUSA; VIN/SN: 4UF10ATV9AT203141 ALONG WITH ALL ADDITIONS, MODIFICATIONS, AND EXCHANGES TO THE SUBJECT EQUIPMENT TO INCLUDE SPECIAL TOOLS AND EQUIPMENT NEEDED FOR ITS SERVICE AND REPAIR. AND ALL OTHER EQUIPMENT NOW OWNED AND HEREAFTER ACQUIRED THAT IS FINANCED BY SHEFFIELD FINANCIAL.



|   |  |
|---|--|
| 5. ALTERNATIVE DESIGNATION [if applicable] <input type="checkbox"/> LESSEE/LESSOR <input type="checkbox"/> CONSIGNEE/CONSIGNOR <input type="checkbox"/> BAILEE/BAILOR <input type="checkbox"/> SELLER/BUYER <input type="checkbox"/> AG. LIEN <input type="checkbox"/> NON-UCC FILING |  |
| 6. <input type="checkbox"/> This FINANCING STATEMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS. Attach Affidavit [if applicable]   | 7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) <input type="checkbox"/> All Debtors <input type="checkbox"/> Debtor 1 <input type="checkbox"/> Debtor 2 |
| 8. OPTIONAL FILER REFERENCE DATA  |  |

BB&amp;T CONFIDENTIAL

Prepared by CT Lien Solutions, P.O. Box 29071, Glendale, CA 91209-9071 Tel (800) 331-3282